

## **MEETING SUMMARY**

### **NEW YORK STATE APPEARANCE ENHANCEMENT ADVISORY COMMITTEE**

**April 19, 2021**

The meeting was held by the Department of State, Division of Licensing Services, via WebEx conferencing. A virtual meeting was held to comply with COVID-19 social distancing directives. Due to the fact the meeting of the NYS Appearance Enhancement Advisory Committee was held remotely, the public hearing section was held in abeyance.

#### **I. CALL TO ORDER, INTRODUCTIONS and OFFICIAL ATTENDANCE**

Michelle D’Allaird Brenner called the meeting to order at 10:33 a.m. Roll call was performed, and it was announced that there was not a quorum. The official attendance was as follows:

##### **COMMITTEE MEMBERS**

Michelle D’Allaird Brenner  
Shirley Cheng  
Anthony Fiore

Excused:

##### **VISITORS**

Christopher Feml  
Todd Garofano  
*\*Other Public Members*

##### **DEPARTMENT OF STATE STAFF**

Amy Penzabene  
Jodi DeLollo  
David Mossberg  
Ernest Delaney  
Denise Tidings  
Emily Lupe  
Shannon Maguire  
Alison Lacy

##### **NYSED STAFF (Public Schools-CTE)**

Nicole Hadsell

#### **II. DEPARTMENT REPORTS**

- A. Enforcement Update – E. Delaney provided an Enforcement report for the period of January 2021 through present. He stated that his enforcement report includes DOS enforcement of the Governor’s reopening guidelines for salons and violations from salons that are failing to follow these guidelines. He reported that there were 116 pending complaints, 198 new complaints, 15 unlicensed salons, 244 closed complaints, and a current caseload of 70 complaints. E. Delaney mentioned that of these violations: 27 percent involved overcrowding, 43 percent involved operators not wearing masks (face coverings), and 30 percent involved operators that tested positive for COVID-19 and failed to quarantine (continued providing services).
- B. Processing Report – E. Lupe reported on the provided March 2020 and March 2021 licensing statistical reports. She explained that the total number of licensees are broken down by license type and that the 2021 figures only include active licensees and do not include expired licenses covered by EO 202.11 which allows licensed individuals to extend their license term during the current State of Emergency.

C. Written and Practical Exam Updates – S. Maguire provided examination statistics for January 2021 through March 2021 as follows:

Cosmetology:     *Written Exam* - Administered to 634 applicants with a pass rate of 70%  
                          *Practical Exam* – Administered to 331 applicants with a pass rate of 77%

Esthetics:         *Written Exam* – Administered to 586 applicants with a pass rate of 71%  
                          *Practical Exam* – Administered to 578 applicants with a pass rate of 96%

Nail Specialty:    *Written Exam* – Administered to 472 applicants with a pass rate of 88%  
                          *Practical Exam* – Administered to 262 applicants with a pass rate of 88%

Waxing:            *Written Exam* – Administered to 230 applicants with a pass rate of 70%

S. Maguire mentioned that COVID-19 safety measures continued to be followed at examinations which include, but are not limited, reduced capacities, six feet social distancing guidelines, requiring of face masks and regularly disinfecting surfaces.

D. Examination Development Update – D. Tidings reported an update made to the cosmetology practical licensing examination. She stated that earlier in the year, the Licensing Division became aware of some products required for the cosmetology practical examination that have become difficult to find; more specifically, these products include finger waving lotion, cholesterol cream, and colored hair gel. She stated that after doing some research and consulting with subject matter experts, the Division decided to allow license candidate with the option of using hair styling gel on the practical examination as a substitute for finger waving lotion and cholesterol cream. D. Tidings stated that this examination update went into effect at the end of February. She reported that all cosmetology practical supervisors and examiners were notified of this exam update prior to implementation and that online cosmetology practical exam documents have been updated to reflect this change. She added that that examining staff were also informed of an update to the list of acceptable photo ID's, which added the Mexico Voter ID card as an acceptable form of ID for admittance into the practical examination. She stated that NYS Education Department representatives, for both public and proprietary schools, were also provided with these updates to share with their approved cosmetology schools and course instructors. D. Tidings also mentioned that this information was relayed to the NYS Appearance Enhancement Committee members as well.

### III. NEW BUSINESS

A. Email to AE Businesses (Face Masks/Coverings) – A. Penzabene reported that on December 7, 2020, the Department sent out a DOH safety poster via email to all licensed appearance enhancement businesses. She stated that the Department felt the poster would be a useful tool to customers and salon staff as the poster provides instruction on the proper use of face coverings and also serves as a reminder to wear a face covering or mask.

B. Executive Order Update – D. Mossberg provided a follow-up report on the Governor’s Executive Orders relating the pandemic. He mentioned that EO order 202.11, which permits licensees to extend their license beyond the expiration dates, remains in effect through May 6, 2021. He stated that he will continue to monitor this Executive Order and if there are further updates, the information will be posted on the Department’s website.

IV. **Next Advisory Committee Date** – D. Tidings announced that the next meeting of the NYS Appearance Enhancement Advisory Committee is scheduled for Thursday, August 19, 2021, at 1 p.m. She stated that members should submit potential agenda items to her.

V. **ADJOURNMENT**

The meeting was adjourned at 10:46 a.m.